

Lutheran Church Massacre: The Long Arm of the Law reaches a suspected Liberian war criminal in Philadelphia

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- Africa (<https://www.dailymaverick.co.za/section/africa/>)
- 22 Feb 2018 12:58 (South Africa)

Reactions



(<https://www.dailymaverick.co.za/article/2018-02-22-lutheran-church-massacre-the-long-arm-of-the-law-reaches-a-suspected-liberian-war-criminal-in-philadelphia/>)

Restaurant waiter Moses Thomas is accused of ordering the massacre of more than 600 unarmed refugees in a church 28 years ago. By PETER FABRICIUS.

“The arc of the moral universe is long,” Martin Luther King said, “but it bends towards justice.”

Optimistic, perhaps, as a general rule. But true, it seems, in the lives of two Liberia-born residents of the US state of Pennsylvania.

Charles Sunwabe lives in Erie, on the shores of the Great Lake of that name, and practises as an attorney there as well as in Pittsburgh and Philadelphia. He also teaches international relations.

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Moses Thomas lives in Philadelphia, on the other side of the state, and serves tables at Klade's restaurant, which offers "delicious Liberian cuisine" in the city's "Little Africa" neighbourhood.

They didn't know it but their lives had collided in Monrovia, capital of the West African state of Liberia, 28 years ago, then ricocheted apart. But on Monday last week their fates intersected again when an investigator walked into Klade's and presented Thomas, standing behind the counter, with a summons to appear in the nearby district court. He was charged, as the erstwhile head of the Liberian army's dreaded Special Anti-Terrorist Unit, with the massacre of about 600 unarmed men, women and children in St Peter's Lutheran Church, in Monrovia, on 29 July, 1990. Including Sunwabe's mother, 10-year old brother and several other relatives.

It's been a long road to justice for both Thomas and his victims. Many Liberian victims pinned their hopes on Ellen Johnson Sirleaf, who was elected as Liberia's and Africa's first woman president in 2006. In 2011 Sirleaf won the Nobel Peace Prize for helping to bring peace to her war-torn country and this month she also won the \$5-million Ibrahim Prize for African leadership after retiring.

But Charles Sunwabe thinks these accolades are a "joke" because he believes Sirleaf failed to bring to justice either Thomas or the many other perpetrators of terrible violence in Liberia's two civil wars. That's why it is finally taking a US court to do so.

Charles Sunwabe was a 16-year-old 10th-grader in July 1990, living with his family in Paynesville, a suburb of greater Monrovia. His father was a member of the Mano ethnic group. In 1989 Charles Taylor, a former director of procurement in Samuel Doe's government who had been fired in 1983 for embezzlement, crossed from Cote d'Ivoire into Liberia as the head of his newly created National Patriotic Front of Liberia (https://en.wikipedia.org/wiki/National_Patriotic_Front_of_Liberia) (NPFL), funded by Libyan leader Muammar Gaddafi, intent on toppling his old boss.

Many Manos and Gios backed Taylor's rebellion and so, as his troops neared the capital, Doe launched reprisal attacks against the two groups, killing thousands. Like many others, Charles Sunwabe, his mother Yei Dololue Sunwabe, 10-year-old brother Leonard Wuo and several other relatives fled to St Peter's, believing they would be safe in a church.

"The only parent I knew was my mother," says Charles. "She was the matriarch of our family."

They all registered with the Red Cross and were given numbers. Charles's was 779.

"It will stay with me for the rest of my life," he says.

The church grounds looked like a huge shopping mall, because they were full of people "who had fled there to get away from their own government". Many had already escaped murderous attacks by Doe's troops, including those under Moses Thomas's command, on other refugee centres.

Late on the evening of 29 July, Charles was sleeping in the church building with most of the men and older boys. His mother and Leonard were sleeping in the adjacent school building in the grounds, with other mothers, girls and younger boys.

"We were woken by loud bangs. Before we knew it troops were in the church compound, with machetes and knives and rifles, killing indiscriminately. First in the church compound where the men and boys were, they opened fire. When they were done it was a pool of blood."

The soldiers then turned to the school building where the mothers and younger children were sleeping. Charles and several other boys escaped from the church and dashed to the school building.

"We thought they would have mercy on the women and children. But they were also killed indiscriminately, some of them after they had been forced to hand over their money."

He saw his mother shot from behind and falling forward, left to bleed to death through the night, he later heard. He fled the compound, finding his way to the Russian embassy where he was offered refuge.

Then he returned to Paynesville and from there travelled to a refugee camp in Cote d'Ivoire, narrowly avoiding being conscripted as a child soldier by both sides, several times along the way. In 1993 he was helped to travel to the US where he put himself through law school – “because I wanted to see justice” – and also did a degree in international relations.

He has no idea where the bodies of his mother and brother are buried nor those of the 14 other relatives who died in the church that night.

Charles says he would like to return to Liberia but never has because it's not yet safe to do so. He has been pushing for a war crimes tribunal in his home country, as recommended by its Truth and Reconciliation Commission in 2009. .

“I once met President Sirleaf and she said she would support a tribunal but she never did. Liberia is still run by warlords,” he adds.

He cites, among others, Prince Johnson, the rebel leader who captured Doe in Monrovia in September 1990 and tortured and killed him in images recorded on video and transmitted by his forces. He is now a senior senator in Liberia.

Charles believes Sirleaf resisted the calls to establish a war crimes tribunal because she was herself implicated, noting she had provided financial assistance to Taylor's NPFL. Sirleaf has, however, said she did so at the start of Taylor's rebellion against Doe, before realising he was also bad and turning against him.

Neither Charles nor other victims or justice advocacy groups realised for many years that Moses Taylor had also fled to the US and, more particularly, also to Pennsylvania, around August 2000, cynically abusing an immigration programme meant to help the victims of the very atrocities he and others had committed.

Nushin Sarkarati, Senior Staff Attorney for the Center for Justice & Accountability, the California-based justice activist group which brought the case against Thomas, explains that it took more than four years to track him down.

The hunt began when a coalition of Liberian human rights defenders told them that several individuals named in the Liberian Truth and Reconciliation Commission report as “most notorious perpetrators”, including Moses Thomas, were using the US as a safe haven.

“Many of these human rights defenders were refugees themselves in the US and were forced to live in the same community as alleged perpetrators.”

The TRC report did not provide much information, though.

“We therefore had to do this investigation from the beginning by interviewing survivors of the massacre, witnesses, former soldiers, and church members.”

The Monrovia-based Global Justice and Research Project (GJRP), a non-governmental organisation dedicated to the documentation of Liberian war related crimes and the pursuit of justice for victims, and Geneva-based Civitas Maxima helped the Center for Justice & Accountability investigate this case.

By Monday 12 February they had gathered enough evidence to file a civil suit for damages against Thomas in the US District Court in Philadelphia.

They filed it on behalf of “Jane W, John X, John Y, and John Z”, who all survived the Lutheran Church massacre, and on behalf of their relatives who perished in the killing. All wish to remain anonymous for fear of reprisal in Liberia. But really the case is for all victims of the church massacre.

“A former colonel in the Armed Forces of Liberia (AFL), Thomas is suspected of instigating the infamous Lutheran Church Massacre, which is widely considered one of the most violent events in Liberia's 14 years of armed conflict,” said the indictment.

“On July 29, 1990, Thomas is alleged to have directed the AFL's elite Special Anti-Terrorist Unit (SATU) to attack Monrovia's St Peter's Lutheran Church, a Red Cross humanitarian aid shelter where approximately 2,000 unarmed men, women, and children had sought refuge from escalating violence.”

“Over the course of the night, 600 people – primarily members of the Mano and Gio tribes, which were thought to be sympathetic to opposition forces – were killed with guns and machetes.

“Our clients managed to survive the Lutheran Church massacre by hiding under the bodies of friends and family executed by the government forces. What they endured is beyond comprehension and this suit presents their first opportunity to see some form of justice carried out.”

The case has been brought under US laws which allow US courts to prosecute crimes committed outside the US where justice has been denied there and where such cases impact US interests.

The plaintiffs argue that this case “profoundly impacts the United States” because Thomas eluded justice for 17 years in the US, because the US has publicly affirmed its commitment to ending impunity for perpetrators of gross human rights violations, because US citizens, the US Aid agency and a US-affiliated religious institution were also harmed in the wider violent rampage in Liberia and because of America's long-standing historical ties with Liberia (which was founded in the 19th century as a US colony for freed slaves).

The indictment explains:

“To this day, no one has been accountable in Liberia or in any jurisdiction for this attack,” despite Liberia's Truth and Reconciliation Commission's recommendation to President Sirleaf in 2009 that an Extraordinary Chamber within the courts of Liberia to prosecute war crimes and crimes against humanity, including those during the attack on the Lutheran church.

“As at the time of filing, no laws had been passed to establish a special court for wartime atrocities in Liberia and no prosecutions have occurred... impunity has persisted in Liberia... several of the most renowned alleged perpetrators of war crimes and serious abuses still hold political office.”

Global Justice and Research Project director Hassan Bility said Liberia “has been left in a fog of fear and impunity for too long, and can only be truly at peace when it has come to terms with its past. If the survivors of this horrific event are able to see justice, Liberians will have reason to believe that accountability is possible through a fair and just process”.

Sarkarati adds that terrible cases like this should be tried in the countries where the crimes were committed.

“Because that is not yet possible in Liberia, the victims have to push to try perpetrators in the courts of the countries where they have chosen to hide.”

Sarkarai is not as critical of Sirleaf as Sunwabe is. She notes:

“The Sirleaf government was focused on stabilising Liberia after the civil war, and rebuilding the country. Liberia's peace appeared tentative for many years, and the country was also struck by an ebola pandemic.”

Nonetheless she adds:

“Given how vocal the citizens of Liberia have been about wanting a war crimes court, I do think there was a missed opportunity to establish rule of law and faith in government by prosecuting the most serious offenders of human rights abuses in Liberia. We do hope that (Liberia's new) President (George) Weah will make justice a priority for his administration, especially justice for civil war-era atrocities.”

She notes that because US law only allowed them to bring a civil case, Thomas faces only monetary damages, not prison. She hopes, though, that the case might inspire Liberia at last to prosecute Thomas, and others, criminally.

The international campaign for justice in Liberia led to the successful 2009 US prosecution of Charles “Chucky” Taylor, Charles Taylor’s son, for torture, and the successful 2017 “Jungle Jabbah” case in Philadelphia.

Expected cases in 2018 include the trial of former National Patriotic Front Defence Minister Tom Woewiyu in the US for immigration fraud related to human rights abuses in Liberia; Patriotic Front Commander Martina Johnson in Belgium for atrocity crimes in Liberia; United Liberation Movement Commander Alieu Kosiah in Switzerland for crimes against humanity and torture, and Agnes Reeves Taylor in the United Kingdom for her alleged role in Patriotic Front abuses in Liberia.

Thomas has until 5 March to decide whether or not he will defend the case. He was reported by the BBC as denying the charges. He is not under arrest as this is a civil case. But Sarkarati explains that he has been living in the US since 2000 and has made a life there.

“If he flees the country now he will not likely be able to return to his home, his partner, and his children in the US. Even if Thomas flees the country, we can still proceed with the case in his absence.” **DM**

Photo: Secretary of Defence Caspar W. Weinberger (not seen) hosts Samuel Kanyon Doe (L, tan suit), Head of State of the Republic of LIBERIA in Washington DC, 1981. (Wikimedia Commons)

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